

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sara Hager	Team: Team # 2	CCRB Case #: 200502081	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 01/01/2005 8:22 PM, Saturday, 02/05/2005 , Wednesday, 02/23/2005 , Friday, 02/25/2005	Location of Incident: § 87(2)(b) in Queens	Precinct: 102	18 Mo. SOL 7/1/2006	EO SOL 7/1/2006	
Date/Time CV Reported Fri, 02/25/2005 7:43 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Fri, 02/25/2005 7:43 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Jude Reimbeau	30682	925976	102 PCT
2. POM Ted Saintgerard	26747	934145	102 PCT
3. POM Daniel Dugan			
4. Officers			

Officer(s)	Allegation	Investigator Recommendation
A. POM Daniel Dugan	Abuse: PO Daniel Dugan refused to provide his name and shield number to § 87(2)(b) on January 1, 2005.	§ 87(2)(b)
B. POM Ted Saintgerard	Abuse: PO Ted Saintgerard entered § 87(2)(b) on February 25, 2005.	§ 87(2)(b)
C. POM Jude Reimbeau	Abuse: PO Jude Reimbeau entered § 87(2)(b) in Queens on February 25, 2005.	§ 87(2)(b)
D. Officers	Abuse: Officers entered the § 87(2)(b) on February 25, 2005.	§ 87(2)(b)
E. POM Jude Reimbeau	Abuse: PO Jude Reimbeau threatened § 87(2)(b) Dalessandro with arrest on February 25, 2005.	§ 87(2)(b)

Synopsis

On February 25, 2005, § 87(2)(b) called the CCRB and filed a complaint. § 87(2)(b) alleged that on January 1, 2005, she called 911 to report a fight she had with her landlords, § 87(2)(b) and § 87(2)(b) and her roommate, § 87(2)(b) [last name unknown]. PO Daniel Dugan and PO Ted Saint-Gerard responded to her residence, located at § 87(2)(b) in Queens. § 87(2)(b) alleged that PO Dugan refused to provide his name and shield number (Allegation A). § 87(2)(b) also claimed that on February 25, 2005, six officers, including PO Ted Saint-Gerard and PO Jude Reimbeau, responded to her home when she called 911 for an unknown reason. § 87(2)(b) alleges that six officers entered her apartment without her knowledge (Allegation B, C and D). § 87(2)(b) further alleged that PO Reimbeau threatened to arrest her for filing false reports (Allegation E).

§ 87(2)(g)
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This complaint was originally assigned to Investigator Joel Mentor. § 87(2)(b) had an open CCRB complaint with Investigator Sara Hager at the time (CCRB #§ 87(2)(b) so this case was reassigned.

Summary of Complaint

Investigator Joel Mentor interviewed § 87(2)(b) at the CCRB on March 4, 2005 (Enc. 5A-J).

§ 87(2)(b) stated that on January 1, 2005, at approximately 7:30 PM, the owner of her apartment, Mrs. § 87(2)(b) came and informed her that a new tenant, § 87(2)(b) (last name unknown), would be moving into the premises. § 87(2)(b) lived in a three-bedroom apartment located at § 87(2)(b) Woodhaven, NY, 11421. § 87(2)(b) asked § 87(2)(b) to vacate her room so that § 87(2)(b) could occupy the room. § 87(2)(b) protested that she had already moved her belongings into the room and had possession of its key. At this point, § 87(2)(b) agitated by the delay, threatened § 87(2)(b). Upon being threatened, § 87(2)(b) went into her room and closed the door. Mrs. § 87(2)(b) knocked at the door and informed § 87(2)(b) that she would knock down the door, unless § 87(2)(b) opened the door. § 87(2)(b) the owner's husband, then proceeded to kick in the door and grab § 87(2)(b) called 911.

PO Dugan and PO Ted Saint-Gerard (identified from the 102nd Precinct roll call) responded to § 87(2)(b)'s call for assistance. § 87(2)(b) described PO Dugan as a white male and PO Saint-Gerard as a Hispanic male. Mrs. § 87(2)(b) told PO Dugan that § 87(2)(b) was "crazy," and PO Dugan asked § 87(2)(b) if she was on medication. § 87(2)(b) asserted that she was in full control of her faculties. PO Dugan told § 87(2)(b) "This is a civil matter. The landlord has the right to kick in your door." When § 87(2)(b) asked for the officer's name and badge number, he allegedly replied, "You don't need my badge number. This is a civil matter" (Allegation A). PO Ted Saint-Gerard played no role in the interaction, and the two officers left.

§ 87(2)(b) stated that on February 23, 2005, she again called the police at approximately 6:30 AM (the investigator later discovered that this incident happened on February 25, 2005). § 87(2)(b) would not specify why she had contacted the police. Five officers responded, however, only one, PO Jude Reimbeau interacted with § 87(2)(b) provided the name "Rombeau" and the investigator later identified PO Reimbeau from the 102nd Precinct roll call). § 87(2)(b) stated that the officers suddenly appeared inside her apartment (Allegation B, C and D). § 87(2)(b) is not

aware of how they entered the apartment, but thinks that her landlord may have let them in. PO Reimbeau told the other four officers "Don't worry. I'll handle this." PO Reimbeau then told § 87(2)(b) that she was making false complaints and would be arrested if she made another one (Allegation E). § 87(2)(b) told PO Reimbeau that her complaints were real, whereupon PO Reimbeau told § 87(2)(b) "Don't worry. I'll make a complaint." However, § 87(2)(b) did not see PO Reimbeau write a report.

On April 24, 2005, § 87(2)(b) called the undersigned investigator and stated that PO Reimbeau had responded to her home on both the January 1, 2005 and February 25, 2005 incidents.

Photo Array

On July 14, 2005, § 87(2)(b) was shown two photo arrays for the January 1, 2005 and February 25, 2005 incidents. The photo arrays included PO Ted Saint-Gerard and PO Jude Reimbeau. § 87(2)(b) could not identify the subject officers involved from these photo arrays.

Results of Investigation

Witness Statements

§ 87(2)(b) and § 87(2)(b)

§ 87(2)(b) and § 87(2)(b) were interviewed at the CCRB on October 11, 2005 (Encs. 1A-C and 8A-C).

§ 87(2)(b) and Mrs. § 87(2)(b) stated that § 87(2)(b) rents a room in a three-bedroom apartment. On January 1, 2005, another tenant, § 87(2)(b) was moving in and § 87(2)(b) was occupying her room. § 87(2)(b) put a lock on that door and refused to relinquish the key or leave the room. § 87(2)(b) kicked the door in and § 87(2)(b) called 911. § 87(2)(b) did not push § 87(2)(b).

Two officers responded but neither § 87(2)(b) or Mrs. § 87(2)(b) could describe them. § 87(2)(b) told the officers that § 87(2)(b) and Mrs. § 87(2)(b) were trying to evict her and the officers told her that it was a civil matter. § 87(2)(b) did not ask these officers for their names or shield numbers.

Mrs. § 87(2)(b) stated that on February 25, 2005, § 87(2)(b) called the police for unknown reasons. § 87(2)(b) was not present for this incident. § 87(2)(b) stated that she was not upstairs, so she could not hear what happened. She saw that four uniformed officers responded, but she could not describe them. The officers were standing in the hallway that leads up to § 87(2)(b)'s apartment. § 87(2)(b) did not see the officers enter the apartment.

Mrs. § 87(2)(b) stated that § 87(2)(b) is a problem tenant and has called the police at least 50 times. Mrs. § 87(2)(b) stated that § 87(2)(b) was evicted and will be forced to vacate the apartment by November 15, 2005.

Officer Statements

PO Ted Saint-Gerard

PO Ted Saint-Gerard was interviewed at the CCRB on September 15, 2005 (Enc. 14A-B). PO Saint-Gerard was only questioned about the January 1, 2005 incident at this time because § 87(2)(b) provided the incorrect date for the February 25, 2005 incident and he was not identified as a subject in this incident until a later date.

PO Ted Saint-Gerard stated that on January 1, 2005, he was working with PO Daniel Dugan and assigned an impact auto unit during that tour. PO Saint-Gerard wrote the incident address location in his memobook, but no disposition of the call. PO Saint-Gerard had no recollection of this incident.

PO Saint-Gerard was interviewed again at the CCRB on November 21, 2005 (Enc. 16A-B). PO Saint-Gerard stated that on February 25, 2005, he was assigned to sectors EI in the confines of the 102nd Precinct. PO Saint-Gerard was working with PO Jude Reimbeau and in patrol car 2233.

On February 25, 2005, PO Saint-Gerard stated that he responded to § 87(2)(b) residence at § 87(2)(b) in Queens, but could not recall what happened or any additional officers that responded to the scene. PO Saint-Gerard did not recall any officers threatening to arrest § 87(2)(b) but stated that she could be arrested for filing false complaints.

PO Jude Reimbeau

PO Jude Reimbeau was initially interviewed at the CCRB on May 17, 2005 and questioned about the incorrect incident date that § 87(2)(b) provided, February 23, 2005 (Enc. 10A-B). PO Reimbeau was interviewed at the CCRB again on November 21, 2005, and questioned about the February 25, 2005 incident (Enc. 12A-B).

PO Reimbeau stated that on February 25, 2005, he was assigned to sectors EI in the confines of the 102nd Precinct with PO Saint-Gerard. PO Reimbeau was in uniform and in marked patrol car 2233. PO Reimbeau's memobook indicated that they responded to § 87(2)(b) at 6:01 AM. At 6:21 AM PO Reimbeau marked the call as 10-91 (non-crime) and § 87(2)(b) was uncooperative and intoxicated.

PO Reimbeau stated that on February 25, 2005, he and PO Saint-Gerard responded to § 87(2)(b) in Queens. § 87(2)(b) lived on the third floor of a three-story house. PO Reimbeau stated that two additional units (four officers) responded, but he could not remember the names of those officers. PO Reimbeau, PO Saint-Gerard and the other four officers walked up the stairway to the 3rd floor apartment and § 87(2)(b) exited her apartment as they were walking up the stairs. § 87(2)(b) was screaming and told PO Reimbeau that she was upset because the police do not respond when she calls 911. § 87(2)(b) was yelling about her landlord, but she was not making specific allegations. PO Reimbeau stated that § 87(2)(b) was intoxicated and although he was standing 8 feet away from her he could smell alcohol. PO Reimbeau stated that he did not threaten to arrest § 87(2)(b) nor did he hear any other officers at the scene threaten to arrest her.

Incident on January 1, 2005

NYPD Documents

Police Radio Transmissions

The SPRINT indicated that at 8:22 PM on January 1, 2005, § 87(2)(b) called 911 and reported that her landlord pushed her and was evicting her. A conditions unit from the 102nd Precinct responded to the scene at 8:46 PM and left the scene at 9:14 PM.

Roll Call

The 102nd Precinct roll call for January 1, 2005, indicated that PO Daniel Dugan and PO Ted Saint-Gerard were assigned to the only Impact Auto unit during that tour.

Incident on February 25, 2005

Police Radio Transmissions

The SPRINT indicated that at 5:54 AM on February 25, 2005, § 87(2)(b) called 911 and reported that she was having a fight with her roommate. Sector E from the 102nd Precinct responded and at 6:19 AM Sector E reported that § 87(2)(b) was intoxicated and uncooperative.

Roll Call

The 102nd Precinct roll call for February 25, 2005, indicated that PO Jude Reimbeau and PO Ted Saint-Gerard were assigned to sectors EI in patrol car 2233.

§ 87(2)(c)

§ 87(2)(b)

Officer CCRB Histories

PO Ted Saint-Gerard and PO Jude Reimbeau

PO Saint-Gerard has been employed with the NYPD for 1 year and PO Reimbeau has been employed with the NYPD for five years. PO Saint-Gerard and PO Reimbeau have no substantiated allegation on their officer histories.

Conclusions and Recommendations

Undisputed Facts

It is not in dispute that § 87(2)(b) called 911 on January 1, 2005 and February 25, 2005. PO Dugan and PO Saint-Gerard responded to § 87(2)(b)'s residence on January 1, 2005. PO Saint-Gerard and PO Reimbeau responded to § 87(2)(b)'s residence on February 25, 2005. What is in dispute is whether PO Dugan failed to provide his name and badge number and if PO Reimbeau threatened to arrest § 87(2)(b) on February 25, 2005.

Officer Identification

NYPD communications documents indicated that an impact auto unit from the 102nd Precinct responded to § 87(2)(b) in Queens on January 1, 2005. The roll call for the 102nd Precinct confirmed that PO Daniel Dugan and PO Ted Saint-Gerard were the only officers that were assigned to an impact auto during that tour. Although PO Saint-Gerard did not remember this incident, he wrote the address, § 87(2)(b) in his memo book, indicating that he responded to the scene. Additionally, PO Saint-Gerard noted that PO Dugan was his partner, the subject officer identified by § 87(2)(b)

NYPD communication documents indicated that sector E from the 102nd Precinct responded to § 87(2)(b) in Queens on February 25, 2005. The roll call for the 102nd Precinct confirmed that PO Jude Reimbeau and PO Ted Saint-Gerard were assigned to sectors EI during the time of the incident. Both PO Reimbeau and PO Saint-Gerard wrote the location, § 87(2)(b) in their memo books indicating that they responded to the scene. They were unable to identify the additional police officers that responded to the location.

§ 87(2)(g)

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Allegation A: PO Daniel Dugan refused to provide his name and shield number on January 1, 2005.

§ 87(2)(b) alleged that PO Dugan refused to provide his name and shield number. PO Dugan resigned from the NYPD on March 10, 2005 and therefore did not provide a statement. The 102nd Precinct sent written confirmation that PO Dugan resigned from the NYPD (Enc. 17A). Without a statement from PO Dugan, it is impossible to analyze this allegation. § 87(2)(g)

Allegation B: PO Jude Reimbeau entered § 87(2)(b) in Queens on February 25, 2005.
Allegation C: PO Ted Saint-Gerard entered § 87(2)(b) in Queens on February 25, 2005.

§ 87(2)(b) claimed that five officers entered her apartment without her knowledge. PO Reimbeau stated that he and the other officers walked up the stairs to her apartment, but did not enter. Mrs. § 87(2)(b)

similarly stated that she saw the officers standing in the hallway, which supports PO Reimbeau's claim that officers did not enter the apartment. § 87(2)(g)

Allegation D: Officers entered § 87(2)(b) in Queens on February 25, 2005.

§ 87(2)(b) PO Reimbeau and Mrs. § 87(2)(b) all concurred that more than two officers responded to § 87(2)(b)'s apartment on February 25, 2005. No one could provide descriptions or names of these additional officers. The SPRINT indicated that only sector E from the 102nd Precinct responded to the scene. The NYPD communications CD may have identified these additional units, but because § 87(2)(b) provided the incorrect incident date which delayed the investigation, these communications are no longer available. § 87(2)(g)

Allegation E: PO Reimbeau threatened to arrest § 87(2)(b) on February 25, 2005.

§ 87(2)(b) stated that PO Reimbeau threatened to arrest her for filing false police complaints. PO Reimbeau stated that § 87(2)(b) could have been arrested for filing false police complaints, however, he did not threaten to arrest her. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: